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INSTRUCTIONS

Please amend the claims under 37 C.F.R 1.312 as follows:

(Third amended)

A semiconductor laser device comprising:

a first cladding layer, which is made of a nitride semiconductor of a first conductivity type and is formed over substrate:

an active layer, which is made of IngGal-yN and is formed over the first cladding layer;

a second cladding layer, which is made of still another nitride semiconductor of a second conductivity type and is formed over the active layer; and

an spontaneous-emission-absorbing layer, which is made of In,Gai-xN of the first conductivity type and has an energy gap as an absorbing spontaneous emission layer for emission from the active layer, is formed the substrate and the first cladding layer,

Wherein $0\langle x\langle 1, 0\langle y\langle 1 \text{ and }, x\rangle = y \text{ in the composition of In.}$

(Twice amended) 2.

wherein claim devi**ca** of spontaneous-emission-absorbing layer is formed in contact with the first cladding layer.

(Twice amanded) 3.

wherein the 1. ο£ çlaim device spontaneous-emission-absorbing layer is formed in contact with the substrate.

(Third Amended)

A semiconductor laser device comprising:

a first cladding layer, which is made of a nitride semiconductor of a first conductivity type and is formed over 「FEB. 24. 2004 112: 09PMst: NIX(N)XON PEABODY

an active layer, which is made of IngGal-yN and is formed over the first cladding layer;

a second cladding layer, which is made of still another nitride semiconductor of a second conductivity type and is formed over the active layer;

an electrode formed over the second cladding layer; and an spontaneous-emission-absorbing leyer, which is made of $In_xGa_{1-x}N$ of the second conductivity type and has an energy gap as an absorbing spontaneous emission layer for emission from the active layer, is formed the second cladding layer and the electrode,

wherein 0<x<1.0<y<1 and .x>=y in the composition of In.

(Twice amended) 5.

the wherein οf Claim device The spontaneous-emission-absorbing layer is formed in contact with . the second cladding layer.

(Twice amended) б.

the wherein ٥f Claim device spontaneous-emission-absorbing layer is formed in contact with the electrode.

7.-30. (Cancelled)